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December 23, 2008

Dan J. Alpert, Esq.
2120 North 21st Road, Suite 400
Arlington, Virginia 22201

Re: Georgia-Carolina Radiocasting Company, LLC
WRGC (AM), Sylva, North Carolina
Facility Identification Number: 73286
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed December 18, 2008, on behalf of Georgia-Carolina Radiocasting Company, LLC ("GCR"). GCR requests special temporary authority ("STA") to operate Station WRGC pursuant to Section 73.1615.¹ In support of the request, GCR states that it is in the process of completing construction of modified WRGC facilities as authorized by Construction Permit BMJP-20051031AFM, which authorizes a change in frequency from 680 kHz to 540 kHz (See Note 1, below.) In support of the request, GCR states that it intends to relocate the existing towers to the new site specified in the permit. In order to maintain operation during the construction, GCR seeks STA for operation on the new frequency with a nondirectional antenna and reduced power.

Section 73.1615, which governs operation during modification of facilities, provides that AM licensees holding construction permits which involve directional facilities may discontinue operation, may operate with reduced power or with parameters at variance from licensed tolerances while maintaining monitor points within licensed limits, may operate in nondirectional mode during presently licensed hours of directional operation with power reduced to 25% of licensed directional power, may operate during daytime hours only in nondirectional mode with power reduced to 25% of construction permit directional power only as necessary to conduct nondirectional proof measurements, may operate during daytime hours with the substantially adjusted daytime or nighttime directional facilities authorized by the permit and with the power authorized by the permit only as necessary to take proof of performance measurements. Operating power shall be reduced to currently licensed levels when proof measurements are not being taken.

¹ WRGC is licensed for operation on 680 kHz with 1 kilowatt daytime and .25 kilowatt nighttime, employing a directional antenna during nighttime hours only (DA-N-U). Construction Permit BMJP-20051031AFM authorizes a change in frequency to 540 kHz, relocation of the daytime and nighttime transmitters to new, separate sites, an increase in daytime power to 5 kW, a decrease in nighttime power to 0.21 kW and changes to the nighttime directional pattern.

Our review indicates that the proposed daytime and nighttime operating power levels exceed the limits permitted by the rules. However, if the operating power is reduced appropriately for the various modes of operation, the request complies with Section 73.1615. STA will be granted with a power reduction.

Accordingly, the request for STA IS HEREBY GRANTED, with a power reduction as discussed above. Station WRGC may operate on 540 kHz, pursuant to Section 73.1615 and the terms and conditions of Construction Permit BMJP-20051031AFM. In particular, the following modes of operation are authorized:

- 1) During daytime hours, with a nondirectional antenna and reduced power not to exceed 1.25 kilowatt, for nondirectional proof of performance measurements and as necessary to facilitate the construction work. Operating power must be reduced to 1 kilowatt or less during any significant period of time when proof of performance measurements are not being taken.
- 2) During daytime hours, with the substantially adjusted nighttime directional pattern and power authorized by the permit, for final adjustment and proof of performance measurements.
- 3) During nighttime hours, with a nondirectional antenna and reduced power not to exceed 0.053 kilowatt (53 watts), only as necessary to facilitate the construction work.
- 4) During nighttime hours, with the substantially adjusted nighttime directional antenna pattern and power authorized by the permit.

It will be necessary to further reduce power or cease operation if complaints of interference are received. Upon commencement of operation on 540 kHz, operation must cease on the currently licensed frequency of 680 kHz, and shall not recommence. GCR must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **June 23, 2009**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an

increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Georgia-Carolina Radiocasting Company, LLC